

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: January 15, 2009 Contact: Roman Porter at (916) 322-7761

FPPC Enforcement Decisions: January 15, 2009

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Thursday, January 15, 2009. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the January agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Late Contribution and Mass Mailing Violations

When contributions of \$1,000 or more are made or received during the final days of an election—the time between the last campaign report required to be filed and the end of the election—late contribution reports must be filed within 24 hours of making or receiving the “late” contribution.

When a candidate or committee sends a mass mailing (over 200 substantially similar pieces of mail in a calendar month), there are specific sender identification requirements that must be included.

The following failed to file late contribution reports and failed to include proper sender identification on mass mailings as required by the Political Reform Act:

Citizens for Better Government and Michael Lewis, a county general purpose committee and its treasurer, Michael Lewis, failed to disclose late contributions made to candidate controlled committees in a properly filed late contribution report, and failed to include proper sender identification on four separate mass mailers. **\$12,000 fine.**

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Mass Mailing at Public Expense Violation

Unless one of the specific exceptions is met, no newsletter or other mass mailing shall be sent at public expense.

The following violated the “mass mailing at public expense” law:

City of Yuba City and Rory Ramirez. Respondents are the City of Yuba City, a city located in northern California in Sutter County, and Rory Ramirez, who was, at the time of the violation, an elected city councilmember and appointed mayor of Yuba City. Respondent City of Yuba City used public funds to send two mass mailings, which were coordinated with and featured Respondent Ramirez. **\$6,000 fine.**

Major Donor Violations

A major donor is a person or entity who makes contributions totaling \$10,000 or more in a calendar year and is required to file campaign reports detailing how much was contributed and to whom.

The following failed to file major donor reports as required by law:

The Foundation for Reed Schools of Tiburon, failed to timely file a campaign statement disclosing a contribution totaling \$25,000 due January 31, 2008. **\$400 fine.**

Mark Bertone/Madole & Associates of Upland, failed to timely file campaign statements disclosing contributions totaling \$58,375 that were due in 2006, 2007 and 2008. **\$1,600 fine.**

Statements of Economic Interests Reporting Violations

California law requires elected officials, certain board members and governmental employees, and consultants employed by governmental entities to complete and file Statements of Economic Interests (SEIs or Form 700s). SEIs serve a dual purpose: they make a filer aware of personal economic interests relative to a governmental decision, and they are an important disclosure document for the public and media.

The following individuals failed to file their Statement of Economic Interests forms on time:

Manuel Porto, Dean, College of Health Sciences for the University of California, Irvine, failed to timely file an assuming office statement of economic interests. **\$100 fine.**

Darlene Jochim, a designated employee of the Hornbrook Elementary School District as a member of the Hornbrook Elementary School Board of Trustees, failed to timely file a 2006 annual statement of economic interests. **\$400 fine.**

Robert Watrous, Registered Nursing Board member, California Department of Consumer Affairs, failed to timely file a 2006 annual statement of economic interests. **\$400 fine.**

T.R. Hathaway, Staff Toxicologist with the Department of Toxic Substances Control, failed to timely file a 2007 annual statement of economic interests. **\$400 fine.**

Peter Manzo, Superintendent of Schools, Los Angeles Education Core Charter Schools, failed to timely file a 2007 annual statement of economic interests. **\$200 fine.**

Fred Naranjo, Member of the California Optometry Board, failed to timely file a 2007 annual statement of economic interests. **\$200 fine.**

Sam Turner, Sonoma Traffic Safety Committee member, failed to timely file a 2007 annual statement of economic interests. **\$200 fine.**

Paul Mugan, Planning Commissioner for the City of Seaside, failed to timely file a 2007 annual statement of economic interests. **\$200 fine.**

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